

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES RAY HICKS,
Petitioner,

v.

JOHN E. WETZEL, Secretary,
Pennsylvania Department of Corrections;
ROBERT GILMORE, Superintendent of
the State Correctional Institution at Greene;
and MARK GARMAN, Superintendent of
the State Correctional Institution at
Rockview,
Respondents.

No. 1:17-CV-1969

(Chief Judge Conner)

THIS IS A CAPITAL CASE

SUPPLEMENTAL STATEMENT OF CONCURRENCE/NON-CONCURRENCE

AND NOW comes Charles Ray Hicks, through counsel, and, pursuant to Rule 7.1 of the Local Rules of the United States District Court for the Middle District of Pennsylvania, respectfully states the following:

1. On February 1, 2019 Mr. Hicks files his Motion to File Documents Under Seal (Doc. 30), and his Statement of Concurrence/Nonconcurrence (Doc. 31). This supplements his Statement of Concurrence/Nonconcurrence.

2. Counsel certifies that on February 19, 2019, counsel contacted District Attorney E. David Christine, counsel for Respondents, via electronic mail to follow-up on her request for concurrence in this motion. Counsel has not yet responded.

Respectfully submitted,

s/Kelly D. Miller

KELLY D. MILLER, ESQUIRE

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Dated: February 22, 2019

CERTIFICATE OF SERVICE

I, Kelly D. Miller, hereby certify that on this date I caused the foregoing document to be served on the following person at the location and in the manner indicated below, which satisfies the requirements of the Federal Rules of Civil Procedure:

VIA FIRST-CLASS MAIL & EMAIL

E. David Christine, Jr.
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/s/ KELLY D. MILLER
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Dated: February 22, 2019